

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12CV281

CHRISTINE CARTER,
Plaintiff,

Vs.

GLOBAL COMPLIANCE SERVICES
HOLDINGS, INC., a/k/a GLOBAL
COMPLIANCE SERVICES,
Defendant.

ORDER

This matter is before the Court upon Defendant's Motion to Dismiss Plaintiff's Complaint pursuant to Rules 12(b)(6) and 12(b)(1). Plaintiff filed a response in which she conceded that some of her claims are subject to dismissal under Rule 12(b)(6) and requested leave to file an amended complaint to address the other inadequacies of her Complaint. Local Civil Rule 7.1(C)(2) provides that "[m]otions shall not be included in responsive briefs. Each motion should be set forth as a separately filed pleading." LCvR 7.1(C)(2). Plaintiff's request for leave to amend as part of her response is improper. However, the Court will allow Plaintiff an opportunity to file properly file a Motion to Amend.

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss is held in abeyance at this time. Plaintiff shall file a Motion to Amend, along with her proposed amended complaint within ten (10) days. Should Plaintiff fail to do so, the Court will proceed to decide Defendant's Motion to Dismiss.

Signed: February 11, 2013



Graham C. Mullen
United States District Judge

